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Attorneys for Defendants
CITY AND COUNTY OF SAN FRANCISCO AND
SHERIFF MICHAEL HENNESSEY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN HEUER,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO; MICHAEL HENNESSEY, in
His Capacity as Sheriff of the City and County
of San Francisco; and Does 1-25, inclusive,

Defendants.

Case No. CV 09-5331 CRB

**STIPULATION AND PROPOSED ORDER
CONTINUING TRIAL DATE**

Trial Date: November 15, 2010
Proposed Trial Date: February 14, 2011

1 Plaintiff Kevin Heuer and Defendant City and County of San Francisco hereby request that the
2 Court continue the trial date in this matter. The trial is currently set for November 15, 2010. The
3 Parties request a trial date on or after February 14, 2011.

4 The only other date currently on calendar is the October 26, 2010 pre-trial conference.

5 Good cause exists for the continuance for the following reasons:

6 The parties expended considerable time and energy in ADR proceedings in this matter. After
7 extensive preparation, the parties mediated the case with Steven J. Rosenberg on May 5, 2010.

8 Following the mediation, Plaintiff contemplated staying this matter pending the Department's
9 further promotional selections from the list he is on. Plaintiff has now determined that he wishes to
10 proceed rather than request a stay of proceedings. Plaintiff's counsel informed the City of that
11 determination on July 20.

12 Plaintiff's counsel has been involved in significant litigation in Southern California throughout
13 the last several months. Counsel for the City has a two week foreign vacation set for August 8 and a
14 trial set for early September. The City has issued written discovery and is set to conduct Plaintiff's
15 deposition on August 27.

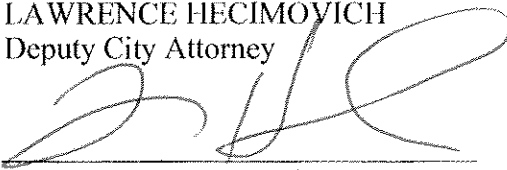
16 The City contemplates moving for summary judgment after conducting Plaintiff's deposition.
17 Plaintiff has informed the City of his intent to depose Sherriff Hennessey and other relevant witnesses.

18 This is the Parties' first request for a continuance. Neither Party will be prejudiced by a
19 continuance.
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Accordingly, the parties request that the Court continue the trial date to a date convenient for the Court.


Dated: July 23, 2010

DENNIS J. HERRERA
City Attorney
ELIZABETH S. SALVESON
Chief Labor Attorney
LAWRENCE HECIMOVICH
Deputy City Attorney

By: 
LAWRENCE HECIMOVICH
Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

Dated: July 23, 2010

RAINS, LUCIA, STERN P.C.
HARRY STERN
ELLEN P. ROSENBLUTH

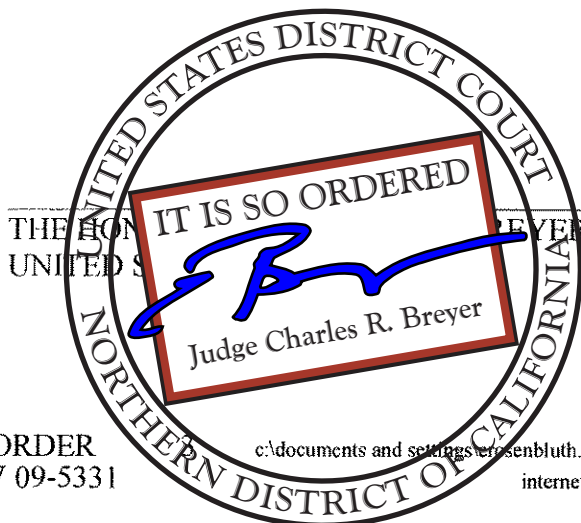
By: 
ELLEN P. ROSENBLUTH
Attorneys for Plaintiff
KEVIN HEUER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that:

1. The Court continue the November 15, 2010 trial date to Feb 14, 2011 @ 8:30 a.m.
2. The Court reset the October 26, 2010 Pre-Trial Conference to Feb. 8, 2011 @ 2:30 p.m.

SO ORDERED:

Dated: July 26, 2010



STIPULATION AND PROPOSED ORDER
RE CONTINUANCE -- Case No. CV 09-5331

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